

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 060349)

RESOLUTION

Calling upon the Attorney General of the United States to immediately remove Donald V. Ferlise from his immigration judge position in Philadelphia due to his documented history of inappropriate treatment of those appearing before him.

WHEREAS, The Third Circuit Court wrote, “It is a hallmark of the American system of justice that anyone who appears as a litigant in an American courtroom is treated with dignity and respect. That expectation must be met regardless of the citizenship of the parties or the nature of the litigation”; and

WHEREAS, Judge Donald V. Ferlise’s courtroom conduct has been condemned on multiple occasions in opinions of the United States Court of Appeals for the Third Circuit; and

WHEREAS, On April 28, 2006, federal appeals panel ruled that Judge Ferlise prejudged cases and bullied asylum-seekers by denying them a right to fair hearings; and

WHEREAS, One of these cases involved petitioner Abou Cham of The Gambia who filed an application for asylum due to his relationship with his uncle, Dawda K. Jawara, who was president of The Gambia until he was ousted by a military coup on July 22, 1994; and

WHEREAS, During the hearing, Judge Ferlise intimidated Cham into a state of confusion with “abusive” comments; and

WHEREAS, Judge Maryanne Trump Barry of 3rd U.S. Circuit Court of Appeals wrote, “Judge Ferlise continually abused an increasing distraught petitioner (Cham), rendering him unable to coherently respond to Judge Ferlise’s questions . . . The belligerence of the questioning and the tension in the courtroom fairly leap off the pages of the record”; and

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WHEREAS, According to a 2000 study published by the San Jose *Mercury News*, Judge Ferlise is ranked among the 10 toughest asylum judges in the country. Between 1995 and 1999, Ferlise granted only 74 of 715 asylum requests; and

WHEREAS, Currently, the Attorney General is conducting a comprehensive review of the immigration courts citing concerns that certain immigration judges fail to treat persons appearing before them with appropriate respect and consideration and therefore fail to produce the quality of work expected from employees of the Department of Justice; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That we call upon the Attorney General of the United States to immediately remove Donald V. Ferlise from his immigration judge position in Philadelphia due to his documented history of inappropriate treatment of persons appearing before him.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the fourth of May, 2006.

Anna C. Verna
PRESIDENT OF THE COUNCIL

Patricia Rafferty
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmembers Kenney and Ramos

Sponsored by: Councilmembers Kenney, Ramos, Reynolds Brown, DiCicco, Rizzo, Kelly, Nutter, Krajewski, Tasco, Goode, Clarke and Blackwell